

FILED

JAN - 9 2004

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION, CINCINNATI**

EVERETT W. WHISMAN, et al.

Plaintiffs,

-VS-

ZF BATAVIA, LLC, et al.

Defendants.

Case No. C01-02-406

Judge Beckwith
Magistrate Sherman

JAMES BONINI, Clerk
CINCINNATI, OHIO

2:55 P.M.
1/7

**SUPPLEMENTAL AFFIDAVIT OF
HERBERT HUEBNER**

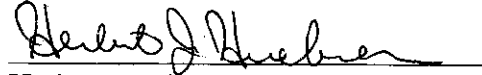
John J. Hunter, Jr. (0034602)
HUNTER & SCHANK CO., LPA
One Canton Square
1700 Canton Avenue
Toledo, OH 43624
(419) 255-4300
(419) 255-9121 Fax
jrhunter@hunterschank.com

NOW COMES Herbert Huebner and being first duly sworn, states, deposes and avers as follows:

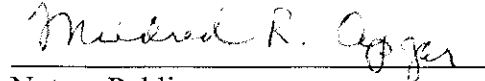
1. That I have personal knowledge of all matters attested to herein.
2. That I am the Manager for Benefits, Compensation and Salaried Relations for ZF Batavia, LLC.
3. That in my Affidavit prepared in connection with the Motion for Summary judgment I indicated that "ZFB employs its own salaried work force of approximately 300 individuals as well as contract employees through both personnel agencies and by independent contracts with individuals."

4. That as further clarification to that point ZF Batavia has and does employ approximately 300 salaried individuals on a both a salaried exempt and salaried non-exempt basis.

Further, affiant sayeth naught.


Herbert Huebner

Sworn to before me and subscribed in my presence this 8th day of January,
2004.


Notary Public

jr/whisman.huebner.affidavit.supplemental.doc

MILDRED R. APGAR
Notary Public, State of Ohio
My Commission Expires Feb. 20. 2007